



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/087,633	03/01/2002	Tatsuya Yano	02012CIP/HG

01933  
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NEW YORK, NY 10017-2023

MAR 28 2002

CONFIRMATION NO. 3745  
FORMALITIES LETTER



'OC000000007705585'

Date Mailed: 03/25/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE

04/24/2002 KZEWBIE 00000658 10087633

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ORIGINALY FILED

TS MPB

Attorney Docket: 02012CIP/HG

**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Applicant(s): Tatsuya YANO et al.

Serial No. : 10/087,633

Filed : March 1, 2002

For : COMPOUNDS HAVING  
ANTIFUNGAL ACTIVITY

Art Unit : 1614

Examiner :

**FILING MISSING DECLARATION UNDER  
37 CFR 1.53(f)**

Commissioner for Patents  
Washington, D.C. 20231

**ATTENTION: BOX MISSING PARTS**

S I R :

The NOTICE TO FILE MISSING PARTS OF APPLICATION - FILING DATE GRANTED dated March 25, 2002 (copy enclosed), specified that the Oath or Declaration had been omitted and required that it be filed within two months from March 25, 2002, the mailing date of said NOTICE.

Enclosed herewith is the executed Post-filed CIP Declaration and Power of Attorney dated March 29, 2002, April 1, 2002 and April 2, 2002. Please enter it in the file of the above-identified application.

**CERTIFICATE OF MAILING**

I hereby certify this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to:  
Commissioner for Patents,  
Washington, D.C. 20231 on the date noted below.

*Richard S. Barth*

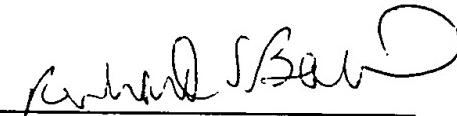
Attorney: Richard S. Barth

Dated: April 15, 2002

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper, to Account No. 06-1378.

Please apply the enclosed check in the amount of \$130.00 as the surcharge for filing the Declaration on a date later than the filing date of the application.

Respectfully submitted,

  
RICHARD S. BARTH  
REG. NO. 28,180

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RSB/ddf

- Enclosures: (1) Check for \$130.00  
(2) Executed Post-Filed Declaration  
and Power of Attorney, dated March 29, 2002,  
April 1, 2002 and April 2, 2002  
(3) Copy of PTO NOTICE dated March 25, 2002